

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence for Application No. 10/785,550 is being electronically transmitted to Technology Center 3736 via EFS-WEB on September 14, 2006.

/kurt l grossman/
Kurt L. Grossman
Reg. No. 29,799

September 14, 2006
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial Number: 10/785,550
Filed: February 24, 2004
Group Art Unit: 3736
Examiner: Huong Q. Nguyen
Applicant: Bernd Thureau et al
Title: **Diaphragm-Based Reservoir For A Closed Blood Sampling System**
Attorney Ref.: MDX-291US-114
Confirmation No.: 8154

Cincinnati, Ohio 45202

September 14, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO NON-COMPLIANT AMENDMENT NOTICE

In response to the Non-Compliant Amendment Notice mailed September 5, 2006, sent in reply to Applicants' Species Election Requirement which was filed electronically on September 1, 2006, Applicants hereby resubmit their Response/Election with a corrected listing of claims. **Applicants herewith elect, with traverse, Species 4, and submit that at least claims 1-7, 10-16, 20-37, 82-88, 91-96, 99-100, 102-105, 107, and 113 are readable thereon, with at least claims 1, 4, 11, 13, 35, and 113 being generic.** Examination on the merits is respectfully solicited.

Amendments to the Claims are reflected in the listing of claims which begin on page 2 of this paper (pages 2-25).

Remarks/Arguments begin on page 26 of this paper (pages 26-30).